

REMARKS/ARGUMENTS

By the foregoing amendment, Claim 16, indicated allowable, has been rewritten in independent form. When rewriting Claim 16 in independent form, applicants note that the word "needle" in the first line of original dependent Claim 16 should have been "needle carrier," since it is the needle carrier which is threadedly engaged with the distal end of the barrel and which is unthreaded from the barrel for withdrawal, together with the needle, into the barrel. Also, the penultimate paragraph of Claim 16 has been further amended to add that it is both the needle carrier and the needle which are withdrawn into the barrel. Applicant believes this was certainly implicit, if not explicit, in original Claim 16 but wished to make it more explicit. Claim 16 has been rewritten with these corrections.

The rejection of Claims 13, 15, 17 and 19 as anticipated by Vining, U.S. Patent No. 4,507,117 is respectfully traversed. In Vining, the needle 28 is held in a flexible diaphragm 34 (Figures 1 and 2). The diaphragm 34 is locked to the rear face of the distal barrel end by T-shaped locking members which engage in recessed transverse locking portions in the rear face of the distal barrel end. The plunger is releasably connected to the diaphragm 34 by T-locking members 48 and recessed transverse locking portions 53 and 55. As best illustrated in Figures 5A through 5C, the T-members 52 include a base or neck 50 which terminates in arcuate flanges projecting to opposite sides of the neck. The recessed locking portions 53 and 55 have openings corresponding to the T-shaped flanges as well as recesses extending laterally beyond the openings and forming locking flanges. Thus, to couple the plunger and diaphragm 34 to one another, each T-shaped member is inserted through an opening and then rotated to engage one flange of the T-member with a flange of the recess (see col. 4, l. 47 through col. 5, l. 10). There is no discussion or disclosure in Vining of a connection between a plunger and a needle carrier which requires one of the elements to include a laterally projecting rib and another of the elements to include a groove, with the one element snapping over the other element with the rib engaging in the groove to secure the elements to one another in response to axial movement of the plunger toward the

distal end of the barrel as claimed. The snapping-over engagement is not disclosed or suggested in Vining. Moreover, in Vining, the connection only occurs upon rotational movement of the plunger relative to the diaphragm and not in response to axial movement of the plunger toward the distal end of the barrel as claimed. Added Claim 20 is even more explicit in this aspect of the invention. Consequently, it is believed that the elements and function of the claim are not found in the alleged anticipatory reference to Vining.

The rejection of Claims 13-15 and 17-19 as anticipated by Haber, U.S. Patent No. 4,838,870 is respectfully traversed. In Haber '870, the cup-shaped needle attachment 20 is screwthreaded into an internally threaded groove 10 within the hub of the syringe barrel. The needle 30 is passed through the cup-shaped attachment 20 and extends into the interior of the barrel. As illustrated upon a comparison of Figures 2 and 3, the plunger grips the needle catch 32 and, upon withdrawal of the plunger, withdraws the needle into the barrel. Note that the cup-shaped member 20 is retained on the barrel end, is not withdrawn into the barrel and, indeed, cannot be withdrawn into the barrel because it is screwthreaded into a groove formed in the hub end of the barrel. Claim 13 distinguishes from Haber by, among other things, requiring a needle carrier carrying the needle to be releasably secured to the distal end of the barrel in combination with elements carried by the plunger and needle carrier such that, upon snapping engagement of the elements with one another, the needle, as well as the needle carrier, may be detached and removed from the distal end of the barrel and withdrawn into the barrel upon retraction of the plunger away from the distal barrel end. Manifestly, the construction of Haber '870 requires the cup-shaped hub 20 to remain fixed to the barrel end upon withdrawal of the needle 30 into the barrel. Consequently, the Haber '870 patent does not anticipate the invention as claimed.

The rejection of Claims 13-15 and 17-19 as anticipated by Haller, U.S. Patent No. 4,692,156 is respectfully traversed. Haller '156 is similar to Haber in that the plunger may grasp the needle and withdraw the needle into the barrel upon retraction of the plunger. However, Haller '156 does not disclose a needle carrier secured along interior wall surfaces of the distal end of the barrel and withdrawable with the needle

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into the needle into the barrel upon axial engagement of the elements relative to one another. Consequently, Haller '156 cannot be considered to anticipate the claimed invention.

Accordingly, reconsideration and allowance of the claims pending in the application is respectfully requested.

Respectfully submitted,

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